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 9 United States Department of Justice

10 Attorneys for United States of America

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,

Criminal No. 3:21-CR-00155-JD

15 Plaintiff,

STIPULATION AND [PROPOSED]  
 ORDER SETTING BRIEFING SCHEDULE  
 AND CONTINUING STATUS CONFERENCE

16 v.

17 CARLOS E. KEPKE,

18 Defendant.

20 With the agreement of the parties, the Court enters the following Scheduling Order:

21 1. With respect to the following motions:

Date Filed	#	Docket Text
23 08/05/2022	<u>61</u>	MOTION to Exclude <i>United States' Motion to Exclude Defendant's Proffered Expert Witness, Rodney Read</i> by USA as to Carlos E. Kepke.
24 08/05/2022	<u>63</u>	MOTION to Exclude or in the Alternative, to Limit Certain Opinions and Testimony of Bruce G. Dubinsky by Carlos E. Kepke.
25 08/05/2022	<u>64</u>	MOTION to Exclude or in the Alternative, to Limit Certain Opinions and Testimony of Agent James Oertel by Carlos E. Kepke.

1 all Responses must be filed by August 19, 2022, and any Replies must be filed by August 26, 2022.  
 2 These motions will be heard by the Court on September 12, 2022, at 10:30 a.m., or as soon thereafter as  
 3 the matter may be heard, before the Honorable James Donato, United States District Court, San  
 4 Francisco Courthouse, Courtroom 11 – 19th Floor, 450 Golden Gate Avenue, San Francisco, California.

5       2. With respect to the following motion:

Date Filed	#	Docket Text
08/10/2022	<u>66</u>	MOTION in Limine <i>United States' Motion in Limine to Admit Evidence of Undercover Contacts</i> by USA as to Carlos E. Kepke.

9 all Responses must be filed by August 24, 2022, and any Replies must be filed by August 31, 2022.  
 10 This motion will be heard by the Court on September 12, 2022, at 10:30 a.m., or as soon thereafter as  
 11 the matter may be heard, before the Honorable James Donato, United States District Court, San  
 12 Francisco Courthouse, Courtroom 11 – 19th Floor, 450 Golden Gate Avenue, San Francisco, California

13       3. The Status Conference currently set for this matter on August 15, 2022, is hereby  
 14 continued to September 12, 2022, at 10:30 a.m. The Court previously excluded time under the Speedy  
 15 Trial Act through November 28, 2022. *See* Doc. 39.

16           The undersigned attorney for the government certifies that he has obtained approval from  
 17 counsel for the Defendant to file this stipulation and proposed order.

19 IT IS SO STIPULATED.

STEPHANIE M. HINDS  
United States Attorney

s/ Michael G. Pitman  
COREY J. SMITH  
Senior Litigation Counsel  
MICHAEL G. PITMAN  
Assistant United States Attorney

Attorneys for United States of America

s/ Grant P. Fondo  
GRANT P. FONDO

Attorney for Defendant Carlos E. Kepke

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2 IT IS SO ORDERED.  
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Dated: \_\_\_\_\_  
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JAMES DONATO  
United States District Judge  
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